

**Minutes
Town of Lake Park, Florida
Regular Commission Meeting
March 16, 2005 7:30 p.m.
Town Commission Chambers, 535 Park Avenue**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, March 16, 2005 at 7:30 p.m. Present were Mayor Castro, Vice Mayor Balias, Commissioners Carey, Daly and Garretson, Interim Town Manager Paul Carlisle, Town Attorney Thomas Baird and Town Clerk Stephanie Thomas.

Vice-Mayor Balias led the Invocation.

Commissioner Carey led the Pledge of Allegiance.

Town Clerk Stephanie Thomas performed the Roll Call.

ADDITIONS/DELETIONS - APPROVAL OF AGENDA

Motion: A motion was made by Vice-Mayor Balias to approve the March 16, 2005 Agenda; Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Balias	X		
Mayor Castro	X		

Motion passed 5-0.

PUBLIC COMMENTS

The following person(s) addressed the Commission:

Emma Kai, 122 Evergreen Drive – Street lighting between 1st and 2nd Street on Evergreen Drive.

Patricia Dexheimer, 255 Foresteria Drive – Suffered three robberies since Lake Park Police was merged with Palm Beach County Sheriff's Office.

Dianne Sophinos, 338 Bayberry Drive – Thanked the Commission on behalf of the Lake Park Historical Society for attending the Tour on March 6, 2005.

CONSENT AGENDA

1. Regular Commission Meeting Minutes of March 2, 2005.
2. Fertilization of Palm Trees/monthly lawn treatment.
3. Consensus to approve the Lake Park Marina Improvements phase IV - Amendment.

Motion: A motion was made by Commissioner Garretson to approve items 1&3 and discuss item 2 from the Consent Agenda; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balius	X		
Commissioner Garretson	X		
Commissioner Carey	X		
Commissioner Daly	X		
Mayor Castro	X		

Motion passed 5-0.

Interim Town Manager Paul Carlisle gave a brief summary of the lawn service provided by True Green Kem Lawn at Town Hall and the ball fields. The Town received quotes from other lawn service companies and checked references to select a company that would meet the Town standards. HBI Lawn Spring will be given the opportunity to provide lawn service for the Town Hall and ball fields. Commissioner Garretson indicated that he would like to see the contract shorter than one year. Interim Town Manager Paul Carlisle reassured him that the contract can be terminated at anytime with 30 days notice.

Motion: A motion was made by Commissioner Garretson to approve items 2 on the Consent Agenda; Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balius	X		
Commissioner Garretson	X		
Commissioner Carey	X		
Commissioner Daly	X		

Mayor Castro	X		
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Motion passed 5-0.

RESOLUTION NO. 09-03-05- Hollywood Video Site Plan:

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING A SITE PLAN FOR A ONE-ACRE PARCEL OF LAND, OWNED BY DEVELOPERS OF NORTHLAKE, INC. LOCATED AT THE SOUTHWEST CORNER OF NORTHLAKE BOULEVARD AND U.S. HIGHWAY 1; AND PROVIDING FOR AN EFFECTIVE DATE.

Interim Town Manager Paul Carlisle explained that Hollywood Video site plan has met the traffic concurrency. The Planning and Zoning department were satisfied with the site plan.

Larry Szykowski, Director of the Community Development Department, gave a summary of the project including reading a letter of requirements from Palm Beach County. Holly Hoover, representative of Hollywood Video summarized the project. Holly Hoover expressed her displeasure working with Palm Beach County, but will comply with all the recommended requirements.

Motion: A motion was made by Commissioner Garretson to defer Resolution 09-03-05 to the next Regular Commission meeting on April 6, 2005; Vice-Mayor Balius made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balius	X		
Commissioner Garretson	X		
Commissioner Carey	X		
Commissioner Daly	X		
Mayor Castro	X		

Motion passed 5-0.

RESOLUTION NO. 10-03-05-Wal-Mart Plat

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING THE FINAL PLAT OF THE 37.61 ACRE OF REAL PROPERTY TO BE KNOWN AS THE WAL-MART AT NORTHWEST CORNER OF CONGRESS AVENUE AND SILVER BEACH ROAD; AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE PLAT; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Castro abstained due to a conflict of interest from Resolution 10-03-05-Wal-Mart Plat. Larry Szykowski gave a brief summary of the project.

Motion: A motion was made by Commissioner Garretson to approve Resolution 10-03-05; Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balias	X		
Commissioner Garretson	X		
Commissioner Carey	X		
Commissioner Daly	X		
Mayor Castro			X abstain

Motion passed 4-0.

RESOLUTION NO. 11-03-05-Local Law Enforcement Block Grant

A RESOLUTION OF THE COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA; AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT BLOCK GRANT FOR \$8,733.00 FOR CLOSED CIRCUIT CAMERA SYSTEM AT THE LIBRARY WITH MATCHING FUNDS OF \$992.00; AND PROVIDING AN EFFECTIVE DATE.

Motion: A motion was made by Vice-Mayor Balias to approve Resolution 11-03-05; Commissioner Garretson made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balias	X		
Commissioner Garretson	X		
Commissioner Carey	X		
Commissioner Daly	X		
Mayor Castro	X		

Motion passed 5-0.

RESOLUTION NO. 12-03-05-Runoff Election Poll workers

A RESOLUTION OF THE COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPOINTING INDIVIDUALS TO SERVE AS ELECTION POLLWORKERS; CLERKS, ADVISORS, COMPUTER LAPTOP OPERATORS, AND INSPECTORS FOR THE RUNOFF ELECTION ON MARCH 22, 2005 FOR THE PURPOSE OF A MAYOR FOR THE TOWN OF LAKE PARK AND PROVIDING AN EFFECTIVE DATE.

Motion: A motion was made by Commissioner Daly to approve Resolution 12-03-05; Vice-Mayor Balias made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balias	X		
Commissioner Garretson	X		
Commissioner Carey	X		
Commissioner Daly	X		
Mayor Castro	X		

Motion passed 5-0.

DISCUSSION AND POSSIBLE ACTION:

James Lloyd was appointed to the Lake Park Harbor Marina Board.

Town Volunteer Dinner

Interim Town Manager Paul Carlisle asked for direction from the Commission regarding the Volunteer Dinner. The Town Commission came to consensus on having the Volunteer Dinner on Monday night April 18, 2005 in the Mirror Ballroom. There was consensus among the Town Commission to invite the following volunteers: All official Town Board members and Citizens on Patrol; and representatives of the Friends of the Library, Historical Society, and the President of the Kiwanis Club. Interim Town Manager Paul Carlisle was asked to produce a dinner proposal cost including beer and wine and present it to the Commission at the next regular meeting.

Palm Beach County Recreation Grants

Interim Town Manager Paul Carlisle explained that the funds are to be used to improve the bleachers, to add mulch, and for other improvements in the Parks.

Motion: A motion was made by Vice-Mayor Balias to approve the Palm Beach County Recreation Grant; Commissioner Garretson made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balias	X		
Commissioner Garretson	X		
Commissioner Carey	X		
Commissioner Daly	X		
Mayor Castro	X		

Motion passed 5-0.

COMMENTS BY COMMISSION, TOWN MANAGER AND TOWN ATTORNEY

Mayor Castro

- Mayor Castro reminded the residents to vote on March 22, 2005 stating that this election is as important as any other election in the state of Florida.
- Mayor Castro expressed his concerns about the alleyway issues.
- Mayor Castro indicated the cut through traffic near Redwood and Northern Drive are causing concern to the residents. Mayor Castro asked for a traffic study for that particular area.

Vice-Mayor Balias

- Vice-Mayor Balias stated that the most complaints he receives are regarding Code Compliance.
- Vice-Mayor Balias would like the Commission contact telephone numbers to be listed in the Lake Park Newsletter.
- Vice-Mayor Balias indicated that the Historical Tour was a very enjoyable event.
- Vice-Mayor Balias indicated that he will be unavailable to attend the End the Violence event that will be taking place at Suncoast High School in Riviera Beach, Florida.
- Vice-Mayor Balias stated that the rear Chamber doors cause disruption when closing during meetings, and would like for staff to look into repairing the doors..
- Vice-Mayor Balias requested the status of reinstating the Town's own Police Service. Interim Town Manager Paul Carlisle explained the direction of the Commission was to wait until after the election and Sheriff Bradshaw's visit to the Commission scheduled for April 6, 2005.

Commissioner Carey

- Commissioner Carey reminded everyone that the Irish Fest will be held on Saturday, March 19, 2005 from 4:30 p.m. -10:00 p.m. at Kelsey Park.

Commissioner Daly

- Commissioner Daly indicated that the Code Compliance Officer needs an assistant because Greg Durgin is working long hours and weekends. Mayor Castro explained that a new person will begin in April.

Commissioner Garretson

- Commissioner Garretson would like to have the following items on the next agenda: Park Avenue Extension, Restaurant at the Marina, and Annexation including new strategies.
- Commissioner Garretson stated that some residents still have ply-wood on their windows and this could cause a safety issue. Interim Town Manager Paul Carlisle indicated that those homes have been sited by the Code Compliance Officer.

Town Manager

- Interim Town Manager Paul Carlisle explained that the FEMA Grant will not allow the Town to do construction or remodeling as it pertains to the Recreation Station. . Interim Town Manager Paul Carlisle asked the Commission for direction in drafting a letter for the Mayor's signature to explain to FEMA the purpose for the remodeling of the Recreation Station. FEMA would like to see the Town more self-sufficient during a disaster, which is what the Town is trying to accomplish with this project. The purpose of the letter would be to ask FEMA to reconsider allowing the Town to use the funds for this project.
- Interim Town Manager Paul Carlisle requested consensus from the Commission to allow Colin Benzinger to conduct a search for the position of Town Manager at no expenses from the Town. The Commission gave consensus. The Town has received six (6) applications for the Town Manager position since it was re-advertised.
- Interim Town Manager Paul Carlisle indicated that the generator for the Town Hall building will cost between \$180,000.00 and \$200,000.000; to run the building without the air conditioning will cost \$100,000.00. The Commission asked to bring this item back during budget time to be re-evaluated. Mayor Castro feels it would be worth the money to provide a place for residents to come to when there is no power in the Town.
- Interim Town Manager Paul Carlisle wanted residents to know that the Great American Clean-up will take place on April 2nd. Mayor Castro would like to invite the school children and parents to attend next year, and to conduct it as a joint project.
- Interim Town Manager Paul Carlisle indicated that all next week he will be attending The National Hurricane Conference; he will be available by cell phone and e-mail. Patience Cohn will be available in his place.

Town Attorney

- Attorney Tom Baird provided an update on the Applebaum case, indicating that the case is back in State Court from Federal Court.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Vice-Mayor Balius and seconded by Commissioner Carey, and by unanimous vote, the meeting adjourned at 8:44 p.m.



Mayor Paul Castro



Town Clerk Stephanie Thomas



Vivian Mendez, Deputy Town Clerk

Approved on this 6th day of April, 2005.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Vice-Mayor Balias and seconded by Commissioner Carey, and by unanimous vote, the meeting adjourned at 8:44 p.m.



Mayor Paul Castro



Town Clerk Stephanie Thomas



Vivian Mendez, Deputy Town Clerk

Approved on this 6th day of April, 2005.

Town of Lake Park Public Comment Card

Stephanie Thomas, Town Clerk
Vivian Mendez, Deputy Town Clerk
535 Park Avenue
Lake Park, Florida 33403



Meeting Date: 3-16-2005

**CARDS MUST BE SUBMITTED BEFORE THE ITEM IS DISCUSSED.
THERE IS A THREE (3) MINUTE LIMITATION ON ALL COMMENTS**

Name: EMMA ELOISE KAI
Address: 100 EVERGREEN DRIVE, LAKE PARK
I would like to address the Town Commission regarding the following Agenda Item(s) (please list the item(s) as it appears on the Agenda):
We need more lighting around the area
Evergreen Drive, between US-1 and Street
the corner. How come Cop cars are not there?
I would like to address the Town Commission regarding the following Non-Agenda Item(s) (please list the item(s) as it appears on the Agenda):

***PLEASE COMPLETE THIS CARD; INCLUDING YOUR NAME, ADDRESS, AND THE ITEM NUMBER AND TITLE AS IT APPEARS ON THE AGENDA. ONCE COMPLETED, GIVE IT TO THE TOWN CLERK; THE CLERK WILL THEN GIVE IT TO MAYOR. AT THE APPLICABLE TIME, THE MAYOR WILL CALL UPON THE NAME WRITTEN ON THE CARD TO ADDRESS THE COMMISSION FOR A PREDETERMINED TIME OF THREE MINUTES. ***



Town of Lake Park Public Comment Card

Stephanie Thomas, Town Clerk
Vivian Mendez, Deputy Town Clerk
535 Park Avenue
Lake Park, Florida 33403

Meeting Date: _____

**CARDS MUST BE SUBMITTED BEFORE THE ITEM IS DISCUSSED.
THERE IS A THREE (3) MINUTE LIMITATION ON ALL COMMENTS**

Name: _____

Address: _____

I would like to address the Town Commission regarding the following Agenda Item(s) (please list the item(s) as it appears on the Agenda):

I would like to address the Town Commission regarding the following Non-Agenda Item(s) (please list the item(s) as it appears on the Agenda):

***PLEASE COMPLETE THIS CARD, INCLUDING YOUR NAME, ADDRESS, AND THE ITEM NUMBER AND TITLE AS IT APPEARS ON THE AGENDA. ONCE COMPLETED, GIVE IT TO THE TOWN CLERK; THE CLERK WILL THEN GIVE IT TO MAYOR. AT THE APPLICABLE TIME, THE MAYOR WILL CALL UPON THE NAME WRITTEN ON THE CARD TO ADDRESS THE COMMISSION FOR A PREDETERMINED TIME OF THREE MINUTES. ***



Town of Lake Park Public Comment Card

Meeting Date: 3/16/05

**CARDS MUST BE SUBMITTED BEFORE THE ITEM IS
DISCUSSED!**

*****3 MINUTE TIME LIMITATION ON ALL COMMENTS*****

Name: DIANNE SOUTHWELL

Address: 338 BAYBERRY DRIVE

I would like to make comments on the following AGENDA ITEM(S): LP

I would like to make comments on the following NON-AGENDA ITEM(S): Thank you from the Lake Park Historical Society

INSTRUCTIONS: PLEASE FILL OUT THIS CARD, INCLUDING NAME AND ADDRESS, AND GIVE TO THE TOWN CLERK. THE MAYOR WILL CALL YOUR NAME WHEN IT IS TIME FOR YOU TO SPEAK. Comments must be limited to no more than three minutes per individual.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Castro Paul</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Town Comm</i>	
MAILING ADDRESS <i>230 East Ilex Drive PBC</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Lake Park,</i>	COUNTY <i>Florida</i>	<input checked="" type="checkbox"/> CITY	<input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED <i>3/16/05</i>		NAME OF POLITICAL SUBDIVISION:	
		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Paul Castro, hereby disclose that on March 16, 20 05:

(a) A measure came or will come before my agency which (check one)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☒ inured to the special gain or loss of my relative, Wife _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Date Filed

3/16/05

Signature

Paul Castro

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

BALLOT

Carey
MAYOR/COMMISSIONER

PLEASE BE ADVISED THAT THERE IS ONLY ONE VACANCY ON THE LAKE PARK HARBOR MARINA BOARD. PLEASE CAST ONE VOTE FOR THE PERSON YOU FEEL IS MOST QUALIFIED TO SERVE ON THE TOWN'S ADVISORY BOARD.

<u>Applicant(s):</u>	<u>Yes</u>	<u>No</u>
Emma Kai	_____	_____
William McDow	_____	_____
James Llyod	_____✓_____	_____
Phil Yeager	_____	_____

BALLOT

Mayor Castro

MAYOR/COMMISSIONER

PLEASE BE ADVISED THAT THERE IS ONLY ONE VACANCY ON THE LAKE PARK HARBOR MARINA BOARD. PLEASE CAST ONE VOTE FOR THE PERSON YOU FEEL IS MOST QUALIFIED TO SERVE ON THE TOWN'S ADVISORY BOARD.

<u>Applicant(s):</u>	<u>Yes</u>	<u>No</u>
Emma Kai	_____	_____
William McDow	_____	_____
James Llyod	_____	_____
Phil Yeager	_____	_____

BALLOT

C. D. /y
MAYOR/COMMISSIONER


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<u>Applicant(s):</u>	<u>Yes</u>	<u>No</u>
Emma Kai	<u>✓</u>	<u> </u>
William McDow	<u> </u>	<u> </u>
James Llyod	<u> </u>	<u> </u>
Phil Yeager	<u> </u>	<u> </u>

BALLOT

GARRETSON
MAYOR/COMMISSIONER

PLEASE BE ADVISED THAT THERE IS ONLY ONE
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PERSON YOU FEEL IS MOST QUALIFIED TO SERVE
ON THE TOWN'S ADVISORY BOARD.

<u>Applicant(s):</u>	<u>Yes</u>	<u>No</u>
Emma Kai	_____	_____
William McDow	_____	_____
James Llyod	_____	_____
Phil Yeager		_____

BALLOT

BALIUS
MAYOR/COMMISSIONER

PLEASE BE ADVISED THAT THERE IS ONLY ONE VACANCY ON THE LAKE PARK HARBOR MARINA BOARD. PLEASE CAST ONE VOTE FOR THE PERSON YOU FEEL IS MOST QUALIFIED TO SERVE ON THE TOWN'S ADVISORY BOARD.

<u>Applicant(s):</u>	<u>Yes</u>	<u>No</u>
Emma Kai	_____	_____
William McDow	<u>✓</u>	_____
James Llyod	_____	_____
Phil Yeager	_____	_____